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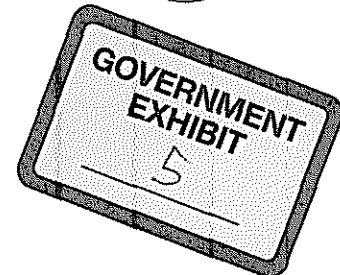
DOL OIG LEGAL SERVICES

004-012

**U.S. Department of Labor**Office of Inspector General  
Washington, D.C. 20210**Customer Notice (RFP)**  
**Right to Financial Privacy Act**

Dear Nyona Dent  
Name of Customer

Address: 1107 Southview Dr., Apt. 201  
Oxon Hill, MD 20745-3413



Records or information concerning your transactions held by the financial institution named in the enclosed subpoena are being sought by the Office of Inspector General (OIG), U.S. Department of Labor (US DOL), a Government Agency, in accordance with the Right to Financial Privacy Act of 1978, 12 U.S.C. Sections 3401-3422, for the following purpose:

To conduct an investigation involving the misuse of altered US DOL earnings and leave  
statements to obtain loans.

If you desire that such records or information not be made available, you must:

1. Fill out the accompanying motion paper and sworn statement (as indicated by the instructions beneath each blank space) or write one of your own, stating that you are the customer whose records are being requested by the above Government Agency, and either giving the reasons you believe that the records are not relevant, or any other legal basis for objecting to the release of the records.

2. File the motion and sworn statement by mailing or delivering them to the Clerk of the following U.S. District Court:

U.S. District Court for District of Columbia	
3 <sup>rd</sup> Street and Constitution Ave, NW	
Washington, D.C. 20001	

(It would simplify the proceeding if you would include with your motion and sworn statement a copy of the enclosed subpoena as well as a copy of this Notice.)

3. Serve the Government Agency requesting the records by mailing (by registered or certified mail) or by delivering a copy of your motion and sworn statement to the address listed below:

Office of Inspector General, U.S. Department of Labor  
200 Constitution Avenue, NW  
Room S-5506  
Washington, DC 20210  
Attention: Office of Legal Services

4. Be prepared to come to court and present your position in further detail.

5. You are not required to have a lawyer, although you may wish to employ one to represent you and protect your rights.

If you do not follow the above procedures, upon the expiration of ten days from the date of service or fourteen days from the date of mailing this Notice, the records or information requested may be made available. These records may be transferred to other Government Agencies for legitimate law enforcement inquiries, in which you will be notified after the transfer.

Very truly yours,

Date: April 20, 2005

Address: 200 Constitution Avenue, NW  
Room S-5506

Washington, D.C. 20210

Telephone: \*(202) 693-5116

George J. Oak  
Deputy Inspector General  
U.S. Department of Labor  
Office of Inspector General

Enclosures: Subpoena  
Statement of Customer Rights  
Instructions for Completing Forms  
Motion Form  
Sworn Statement Form  
Customer Certificate of Service  
Customer Authorization to Release Financial Records

\*OIG Counsel

## **Statement of Customer Rights Under the Right to Financial Privacy Act of 1978**

Federal law protects the privacy of your financial records. Before banks, Federal savings banks (which replaced savings and loan associations), credit unions, credit card issuers or other financial institutions may give financial information about you to a Federal agency, certain procedures must be followed:

### **Consent to Release of Financial Records**

You may be asked to consent to make your financial records available to the Government. You may withhold your consent, and your consent is not required as a condition of doing business with any financial institution.

### **Without Your Consent**

Without your consent, a Federal agency that wants to see your financial records may do so ordinarily only by means of a lawful subpoena, summons, formal written request, or search warrant for that purpose.

Generally, the Federal agency must give you advance notice, explaining why the information is being sought and telling you how to object in court. The Federal agency must also send you copies of court documents to be prepared by you with instructions for filling them out.

### **Exceptions**

In some circumstances, a Federal agency may obtain financial information about you without advance notice or your consent. For example, information may be released: when authorized by the Internal Revenue Code; when required by law to be reported; when there has been a possible violation of Federal law; when required by a Federal loan program (however, you have the right to ask which agency(ies) obtained this loan information about you and when.)

### **Transfer of Information**

Generally, a Federal agency must tell you if any records obtained from a financial institution are transferred to another Federal agency.

### **Penalties**

If a Federal agency or financial institution violates the Right to Financial Privacy Act, you may sue for damages or to seek compliance with the law. If you win, you may be repaid your attorney's fees and costs.

**Instructions for Completing and Filling  
Customer Challenge Motion and Sworn  
Statement (RFPA)**

**U.S. Department of Labor  
Office of Inspector General**



1. Except where signatures are required, the indicated information should be either typed or printed legibly in ink in the spaces provided on the attached motion and sworn statement forms. The information required for each space is described in parentheses under each space to be completed.
2. The most important part of your challenge application is the space on the "sworn statement" form, where you must state your reasons for believing that the financial records sought are not relevant to the legitimate law enforcement inquiry stated in the attached notice. You may also challenge the government's access to the financial records if there has not been substantial compliance with the Right to Financial Privacy Act, or for any other reasons allowed under the law. You should state the facts that are the basis for your challenge as specifically as you can.
3. To file your challenge with the Court, either mail or deliver the original and one copy of your challenge papers together with cash, certified check, or money order payable to the Clerk of the designated U.S. District Court to cover the court filing fee which is \$ 250.00 for The U.S. District Court for the District of Columbia and \$ 250.00 For all other District Courts.
4. One copy of your challenge papers (motion and sworn statement) must be delivered or mailed (by registered or certified mail) to the Government official whose name appears on the Customer Notice.
5. If you have further questions, contact the Government official whose name and telephone number appear on the Customer Notice.

**Customer's Motion to Challenge  
Government's Access to Financial  
Records**

**U.S. Department of Labor  
Office of Inspector General**



IN THE UNITED STATES DISTRICT COURT

FOR THE \_\_\_\_\_ DISTRICT OF \_\_\_\_\_  
(Name of District) (state in which Court is Located)

\_\_\_\_\_  
(Your Name) Miscellaneous No. \_\_\_\_\_  
(Will be filled in by Court Clerk)

Movant MOTION FOR ORDER PURSUANT TO  
CUSTOMER CHALLENGE PROVISIONS  
OF THE RIGHT TO FINANCIAL PRIVACY  
v. ACT OF 1978.

U. S. DEPARTMENT OF LABOR

Respondent

\_\_\_\_\_ hereby moves this  
(Your Name)

Court, pursuant to Section 1110 of the Right to Financial Privacy Act of 1978, 12 U.S.C.  
Section 3410, for an order preventing the government from obtaining access to my financial  
records. The agency seeking access is \_\_\_\_\_

(Name of Government Agency)

My financial records are held by \_\_\_\_\_  
(Name of Financial Institution)

In support of this motion, the Court is respectfully referred to my sworn statement filed with this  
motion.

Respectfully submitted,

\_\_\_\_\_  
(Your Signature)

\_\_\_\_\_  
(Your Address)

\_\_\_\_\_  
(Your Name)

\_\_\_\_\_  
(Your Telephone Number)

OIG-002 (OLS 12/01)

RFPA Customer's Sworn  
Statement for Filing a Challenge

U.S. Department of Labor  
Office of Inspector General



THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF \_\_\_\_\_

Region

State

Miscellaneous No. \_\_\_\_\_  
(to be filled in by Court Clerk)

<p>_____ Your Name  Movant v. Office of Inspector General, United State Department of Labor  Respondent</p>
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Customer's Sworn Statement  
Pursuant to Customer Challenge  
Provisions of the Right to Financial  
Privacy Act of 1978.

I, \_\_\_\_\_, a customer of  
(Name of Financial Institution) \_\_\_\_\_  
am the person whose financial records are being requested by the Office of Inspector General (OIG),  
United States Department of Labor (DOL). I wish to challenge the OIG's access to these records on one  
or more of the following grounds:

(1) The financial records sought are not relevant to the legitimate law enforcement inquiry stated in the  
Customer Notice because:

(2) The financial records sought should not be disclosed because there has not been substantial  
compliance with the Right to Financial Privacy Act of 1978 in that:

(3) The financial records sought should not be disclosed on the following legal basis:

I declare under penalty of perjury that the foregoing is true and accurate.

\_\_\_\_\_  
Customer's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Please Print Name

Customer Certificate of Service  
(RFP)

U.S. Department of Labor  
Office of Inspector General



I have mailed or delivered a copy of this motion and the attached sworn statement to:

Office of Inspector General, USDOL  
200 Constitution Avenue, NW  
Washington, D.C. 20210

on \_\_\_\_\_, 20 \_\_\_\_\_

by Certified ☐ Registered ☐ mail.

\_\_\_\_\_  
(Your Signature)

Print and Sign line above

**Customer Authorization to Release  
Financial Records****Attachment 4  
U.S. Department of Labor  
Office of Inspector General**TO: \_\_\_\_\_  
(Name of Financial Institution)

Date: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

I, \_\_\_\_\_ (Customer's Name), a customer under the Right to Financial Privacy Act, hereby authorize you to release the financial records identified below to any representative of the Office of Inspector General (OIG), United States Department of Labor (DOL) for a period not to exceed three months from the date below. The records are to be used by the OIG in connection with a legitimate law enforcement inquiry under the Inspector General Act of 1978, Public Law 95-452.

Financial Records:

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I understand that this authorization can be revoked by me at any time before the records are disclosed. I have been advised of my rights under the Right to Financial Privacy Act of 1978, and a statement of these rights is contained on the reverse side of this authorization.

Customer: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Account Number: \_\_\_\_\_

Witness: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_